



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,404	06/19/2001	Sunil Contractor	BELL-0106/01004	2283

49584 7590 03/07/2006

LEE & HAYES, PLLC
421 W. RIVERSIDE AVE.
SUITE 500
SPOKANE, WA 99201

EXAMINER

NGUYEN, BRIAN D

ART UNIT	PAPER NUMBER
----------	--------------

2661

DATE MAILED: 03/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

8

Office Action Summary	Application No.	Applicant(s)	
	09/884,404	CONTRACTOR, SUNIL	
	Examiner	Art Unit	
	Brian D. Nguyen	2661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 7-28 is/are rejected.
- 7) ☒ Claim(s) 5 and 6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/17/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 4, 17, 18, 20, 21, and 23 are objected to because of the following informalities:

Claim 4, line 3, “a service control point” seems to refer back to “a service control point” in line 7 of claim 2. If this is true, it is suggested to change “a service control point” to --the service control point--.

Claim 17, line 6, it is suggested to insert --number-- after “said calling number”.

Claim 18, line 3, it is suggested to change “said called party number” to --said calling party number--.

Claim 20, line 2, it is suggested to insert --number-- after “party”.

Claim 21, line 2, it is suggested to change “said **called** party” to --said **calling** party **number**--.

Claims 23 and 24, line 2, it is suggested to insert --party-- after “said called”.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3-4, 13, 17-19, and 23-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Beasley et al (6,804,334).

Regarding claims 1, 13, 17, and 26, Beasley discloses a system and a method for processing a telephone call, the system comprising: a wire line telephone system (figures 1-3 and 5) including: means for receiving a called number from a calling party number, means for dialing the called number, means for determining whether a personalized message associated with the called number is intended for the calling party number in response to a busy or no answer signal on the called number, and means for delivering the personalized message to the calling party number (see, for example, 520 and 510 in figure 5 and col. 3, lines 1-12).

Regarding claim 3, Beasley discloses the service control point includes means for performing the determining whether a personalized message associated with the called number is intended for the calling party (see figure 2 and col. 5, lines 8-23).

Regarding claim 4, Beasley discloses a service node (150 in figures 1-3) connected to the service switching point (SCP) through a data link, and connected to a service control point through a second data link, the service control point including means for commanding the service switching point to forward the calling party number to the service node for delivery of the personalized message (see col. 5, lines 8-23. Note that figure 1 shows service node 150 has different links).

Regarding claim 18, Beasley discloses the delivering the personalized message comprises forwarding the called party number to an intelligent device, the intelligent device playing the personalized message to the called party number (see figure 2; col. 3, lines 1-12 and col. 5, lines 8-22).

Regarding claim 19, Beasley discloses wherein the determining whether the called party number is included in the data storage device comprises determining whether the called party

Art Unit: 2661

number is included in a programmable telephone number table (see figure 2; col. 3, lines 1-12 and col. 5, lines 8-22).

Regarding claim 23, Beasley discloses the determining whether the called party number is included in a data storage device comprises comparing the called number to a subscription list (see figure 2 and col. 5, lines 8-25).

Regarding claim 24, Beasley discloses the determining whether the called party number is included in a data storage device comprises comparing the called number to a field in a programmable number table (see figure 2 and col. 5, lines 8-25)..

Regarding claim 25, Beasley discloses wherein the determining whether the called party number is included in a data storage device comprises querying an internet website via a flow through provisioning system (see figure 1).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2 and 7-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beasley in view of Fleischer et al (5,974,133).

Regarding claims 2 and 7, Beasley discloses a service switching point (SSP) (132 in figure 2) and a service control point containing a database (see SCP contains subscription list in figure 2). Beasley does not specifically disclose a signal transfer point (STP). However, an

Art Unit: 2661

advance intelligent network includes a signal control point is well known in the art. Fleischer discloses STP (see figure 1). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the STP as taught by Fleischer in the system of Beasley in order to transfer data between SSW and SCP.

Regarding claim 8, Beasley does not explicitly disclose the database of the SCP comprises a table includes a first and a next telephone numbers. However, this feature is well known. Fleischer discloses a SCP with a table contains a work and home telephone numbers (see col. 6, lines 28-34). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include different telephone number in the table as taught by Fleischer in the system of Beasley so that a call can be forwarded to the called party at different locations.

Regarding claims 9-11, Beasley further discloses the service node includes means for allowing modification of the table (see figure 6 and col. 9, line 42-col. 10, line 58).

Regarding claim 12, Beasley further discloses the wire line telephone system comprises an Internet website and a flow-through provisioning system and wherein the means for delivering the personalized message further comprises means for retrieving the message from the internet website and means for playing the message on the calling party number (see figure 1).

6. Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beasley in view of Jampolsky et al (6,625,437).

Regarding claims 14-16, Beasley discloses all the subject matter as described in previous paragraphs except for a home location register (HLR) and a signal transfer point (STP).

However, these elements are well known in the art. Jampolsky discloses these well known

Art Unit: 2661

elements (see figure 1). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include these elements in the network as taught by Jampolsky in the system of Beasley in order for a wireless telephone to communicate with a wired telephone.

7. Claims 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beasley in view of Amin et al (6,630,883).

Regarding claim 20-22, Beasley does not specifically disclose indicating to the calling/called party that a message is about to delivery. However, Amin discloses a method and a system in which a message notification is delivered from a message provider to notify of the message (see claim 17). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to notify the calling/called party of a message such as a personalized message as taught by Amin in the system of Beasley in order to notify the receiving party of a receiving message.

8. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Beasley in view of Ekstrom (6,665,390).

Regarding claim 27, Beasley does not specifically disclose the use of TAT and PODP. However, the use of these standards are well known in the art. Ekstrom discloses the use of these features (see col. 6, lines 49-54). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use these features as taught by Ekstrom in the system of Beasley in order to meet the design criteria of a particular implementation.

9. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Beasley in view of Pershan et al (6,823,057).

Art Unit: 2661

Regarding claim 28, Beasley does not specifically disclose T-Busy and T_No_Answer. However, Pershan discloses these features (see col. 13, lines 14-20 and col. 16, lines 1-5). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use these features as taught by Pershan in the system of Beasley to meet the design criteria of a particular implementation.

Allowable Subject Matter

10. Claims 5-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

11. Applicant's arguments with respect to claims 1-4 and 7-28 have been considered but are moot in view of the new ground(s) of rejection.

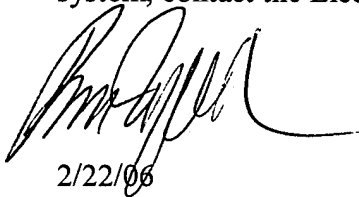
Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian D. Nguyen whose telephone number is (571) 272-3084. The examiner can normally be reached on 7:30-6:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2661

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



2/22/06

BRIAN NGUYEN
PRIMARY EXAMINER